

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hideo MIYAKE et al.

Serial No. 09/654,527

Confirmation No. 7021



Group Art Unit: 2183

Filed: September 1, 2000

Examiner: Tonia L. Meonske

For: SELECTIVE INSTRUCTION ISSUING PARALLEL PROCESSOR

RESPONSE TO NON-COMPLIANT AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is a copy of a Notice of Non-Compliant Amendment (Exhibit A) indicating that the Amendment filed March 17, 2005 (Exhibit B) was not entered due to the spelling of "cancelled".

Attached as Exhibit C are current definitions from several on-line dictionaries printed June 7, 2005 and three printed dictionaries, all indicating that "canceled" and "cancelled" are acceptable spellings. Therefore, it is submitted that it was improper to refuse to enter the March 17, 2005 Amendment due to the spelling of the word "cancelled".

For the reasons set forth above, entry of the March 17, 2005 Amendment and immediate examination of the application without further delay for such innocuous "errors" is respectfully requested.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 6/28/05

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1. The act or an instance of canceling; a cancellation.
2. Printing.
 - a. Deletion of typed or printed matter.
 - b. The matter deleted.
 - c. A replacement for deleted matter.

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[Middle English *cancellen*, from Old French *canceller*, from Latin *cancellāre*, *to cross out*, from *cancellus*, *lattice*, diminutive of *cancer*, *lattice*.]

cancelable *adj.*

canceler *n.*

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Source: The American Heritage® Dictionary of the English Language, Fourth Edition

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Main Entry: **cancel**

Function: *transitive verb*

Inflected Forms: **-celed or -celled; -cel·ing or -cel·ling**

1 : to destroy the force, validity, or effectiveness of: as **a** : to render (one's will or a provision in one's will) ineffective by purposely making marks through or otherwise marring the text of —compare REVOKE

NOTE: The text of the will or of the will's provision need not be rendered illegible in order for a court to find that there was an intent to cancel it. **b** : to make (a negotiable instrument)

unenforceable esp. by purposely marking through or otherwise marring the words or signature of

NOTE: As stated in section 3-604 of the Uniform Commercial Code, a party that is entitled to enforce a negotiable instrument may cancel the instrument, whether or not for consideration, and discharge the obligation of the other party to pay. **c** : to mark (a check) to indicate that payment has been made by the bank

NOTE: A check is no longer negotiable once it has been cancelled.

d : to withdraw an agreement to honor (a letter of credit) <when an issuer wrongfully *cancels* or otherwise repudiates a credit before presentation of a draft —*Uniform Commercial Code*>

2 : to put an end to (a contract): as **a** : to end (a contract) by discharging the other party from obligations as yet unperformed **b** : to end (a contract) in accordance with the provisions of U.C.C. section 2-106 or a similar statute because the other party has breached —compare RESCIND, TERMINATE

NOTE: Section 2-106 provides that a party that cancels a contract because of the other party's breach is entitled to seek remedies for

EXHIBIT C

Merriam-Webster Online Dictionary

Thesaurus

2 entries found for **cancel**.
To select an entry, click on it.

cancel[1,verb] |

Main Entry: **1cancel**

Pronunciation: 'kan(t)-s&l

Function: *verb*

Inflected Form(s): **-celed** or **-celled**; **-cel·ing** or **can·cel·ling**

/-s (& -) 1 i [ng]/

Etymology: Middle English *cancelen*, from Middle French *canceler*, from Late Latin *cancellare*, from Latin, to make like a lattice, from *cancelli* (plural), diminutive of *cancer* lattice, probably alteration of *carcer* prison
transitive senses

1 a : to destroy the force, effectiveness, or validity of :

ANNUL <*cancel* a magazine subscription> <a *anceled* check> **b** : to bring to nothingness : DESTROY **c** : to match in force or effect : OFFSET -- often used with *out* <his irritability *anceled* out his natural kindness -- Osbert Sitwell> **d** : to call off usually without expectation of conducting or performing at a later time <*cancel* a football game>

2 a : to mark or strike out for deletion **b** : OMIT, DELETE

3 a : to remove (a common divisor) from numerator and denominator **b** : to remove (equivalents) on opposite sides of an equation or account

4 : to deface (a postage or revenue stamp) especially with a set of ink lines so as to invalidate for reuse

intransitive senses : to neutralize each other's strength or effect : COUNTERBALANCE

- **can·cel·able** or **can·cel·la·ble** /-s (& -) 1 & -b&l/ *adjective*

- **can·cel·er** or **can·cel·ler** /-s (& -) 1 & r/ *noun*

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cancel



cancel

can·cel [kánss'l]

verb (*past can·celed, past participle can·celed, present participle can·cel·ing, 3rd person present singular can·cels*)

1. transitive and intransitive verb stop

something from happening: to stop a previously arranged event from happening

- *We had to cancel five classes because nobody showed up.*
- *The guest speaker is ill and has had to cancel.*

2. transitive and intransitive verb end

contract: to withdraw officially or legally from a contract

- *Members are free to cancel at any time.*

3. transitive verb mark as used: to

invalidate a legal or official document to show that it has been used and cannot be reused

- *machines that cancel postage stamps*

4. transitive verb reverse instruction: to

reverse an instruction to a machine, especially a computer, or bring a machine's operation to an end

- *Cancel the download from the Internet.*

5. transitive verb delete: to mark

something for deletion, usually by drawing a line through it

6. transitive and intransitive

verb MATHEMATICS **remove common**

factor: to remove a common factor from

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See pronunciation
key

Search for "cancel"
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Dictionary



the numerator and denominator of a fraction or the common terms from the two sides of an equation

- *The twelves cancel and you end up with 8 by 6 again.*

noun (*plural cancels*)

1. PRINTING inserted page: a new page or section of a book inserted to replace a missing original or an original that contained errors

2. PRINTING page to be replaced: a faulty page or section of a book replaced by another

3. See cancellation n.3

[14th century. Via French *canceller* from Latin *cancellare* "to cross out (writing)" (literally "to make like a lattice"), from *cancelli* "lattice" (source of English chancel), from *cancer* "grating, lattice."]

- **can·cel·a·ble** *adjective*
- **can·cel·er** *noun*

camp-ground \kamp'-graund\ n (1806) : the area or place (as a field or grove) used for a camp, for camping, or for a camp meeting

cam-phene \kam'-fen\ n (ca. 1839) : any of several terpenes related to camphor; esp : a colorless crystalline terpene $C_{10}H_{16}$ used in insecticides

cam-phine or cam-phene \kam'-fen\ n [ISV, fr. *camphor*] (1842) : an explosive mixture of turpentine and alcohol formerly used as an illuminant

cam-phor \kam(p)-for\ n [ME *caumfre*, fr. AF, fr. ML *camphora*, fr. Ar *kāfir*, fr. Malay *kāpūr*] (14c) : a tough gummy volatile fragrant crystalline compound $C_{10}H_{16}O$ obtained esp. from the wood and bark of the camphor tree and used as a liniment and mild analgesic in medicine esp. externally, as a plasticizer, and as an insect repellent; also : any of several similar compounds (as some terpene alcohols and ketones) — cam-pho-ra-ceous \kam(p)-fə-rā-shəs\ adj

cam-phor-ate \kam(p)-fə-rāt\ vt -at-ed, -at-ing (1641) : to impregnate or treat with camphor

camphor tree (1607) : a large evergreen tree (*Cinnamomum camphora*) of the laurel family grown in most warm countries

camp-ion \kam'-pe-an\ n [prob. fr. obs. *campion* (champion)] (1576) : any of various plants (genera *Lycchnis* and *Silene*) of the pink family

camp meeting n (1803) : a series of evangelistic meetings usu. held outdoors and attended by persons who often camp nearby

camp-po \kam'-po\ n, pl *campos* [AmerSp, fr. Sp. *field*, fr. L *campus*] (1820) : a grassland plain in So. America with scattered perennial herbs

camping var of KAMPONG

camp-ree \kam-pē-ri\ n [camp + jamboree] (1927) : a gathering of Boy Scouts or Girl Scouts from a given geographic area

camp-site \kamp-sit\ n (1910) : a place suitable for or used as the site of a camp

campus \kam-pus\ n [L, plain — more at CAMP] (1774) : the grounds and buildings of a university, college, or school

cam-py-lot-ro-pous \kam-pi'-lā-trā-pəs\ adj [Gr *kampylos* bent + ISV *-tropous* -tropous; akin to Gk *kampē* bend — more at CAMP] (1835) : having the ovule curved

cam-shaft \kam-shaft\ n (ca. 1877) : a shaft to which a cam is fastened or of which a cam forms an integral part

cam-wheel (ca. 1864) : a wheel set or shaped to act as a cam

can \kān\ (1) sometimes kān\ vb. past could \kād\, (2) \kād\, (3) \kād\; pres sing & pi [can] (1st & 3d sing. pres. indic.) fr. OE *canan* to know — more at KNOW] vt (bef. 12c) 1 obs : KNOW, UNDERSTAND 2 *archaic* : to be able to do, make, or accomplish ~ vi, *archaic* : to have knowledge or skill ~ verbal auxiliary 1 a : know how to (he ~ read) b : be physically or mentally able to (he ~ lift 200 pounds) c : used to indicate possibility (do you think he ~ still be alive) (those things ~ happen); sometimes used interchangeably with may d : be permitted by conscience or feeling to (~ hardly blame him) e : be made possible or probable by circumstances to (he ~ hardly have meant that) f : be inherently able or designed to (everything that money ~ buy) g : be logically or axiologically able to (2 + 2 ~ also be written 3 + 1) h : be enabled by law, agreement, or custom to 2 : have permission to — used interchangeably with may (you ~ go now if you like)

usage Can and may are most frequently interchangeable in senses denoting possibility; because the possibility of one's doing something may depend on another's acquiescence, they have also become interchangeable in the sense denoting permission. The use of can to ask or grant permission has been common since the 19th century and is well established, although some commentators feel may is more appropriate in formal contexts. May is relatively rare in negative constructions (few people use mayn't); cannot and can't are therefore usual in such contexts.

can \kān\ n [ME *canne*, fr. akin to OHG *chanна*] (bef. 12c) 1 : a usu. cylindrical receptacle; a : a vessel for holding liquids; *specif* : a drinking vessel b : a typically cylindrical metal receptacle usu. with an open top, often with a removable cover, and sometimes with a spout or side handles (as for holding milk, oil, coffee, tobacco, ashes, or garbage) c : a container (as of tinplate) in which perishable foods or other products are hermetically sealed for preservation until use d : a jar for packing or preserving fruit or vegetables 2 : JAIL 3 : TOILET 4 : BUTTOCKS 5 : DEPTH CHARGE 6 : DESTROYER 2 7: slang : an ounce of marijuana — *canful* \kān'-fūl\ n — in the can of a film or videotape : completed and ready for release

can \kān\ vt canned; canning (1861) 1 a : to put in a can : preserve by sealing in airtight cans or jars b : to hit (a golf ball) into the cup 2: slang : to expel from school : discharge from employment 3: slang : to put a stop or end to (~ that racket —Nathaniel Burt) 4 : to record on discs or tape — can-ner n

Canaan-ite \kā-nā-nīt\ [Gk *Kanānitēs*, fr. *Kanaan* Canaan, fr. Heb *Kena'an*] (1535) : a member of a Semitic people inhabiting ancient Palestine and Phoenicia from about 3000 B.C. — *Canaanite* adj

Canada balsam \kān-əd-ə\ n [Canada, country in No. America] (1818) : a viscous yellowish to greenish oleoresin exudate of the balsam fir (*Abies balsamea*) that solidifies to a transparent mass and is used as a transparent cement esp. in microscopy

Canada goose n (1772) : the common wild goose (*Branta canadensis*) of No. America that is chiefly gray and brownish with black head and neck and a white patch running from the sides of the head under the throat

Canada thistle n (1799) : a European thistle (*Cirsium arvense*) with pinkish purple or white flowers that is a naturalized weed in No. America

Ca-na-dian \kā-nād-ē-ən\ n (1568) : a native or inhabitant of Canada — Canadian adj

Canadian bacon \kā-nād-ē-ən\ n (1938) : bacon cut from the loin

Canadian football n (1944) : a game resembling American football that is played on a turfed field between two teams of 12 players each

Canadian French n (1846) : the language of the French Canadians

Canadian lynx or Canada lynx n (1840) : *LYNX C*

ca-naille \kā-nālē\ n [F, fr. It *canaglia*, fr. *cane* dog, fr. L *canis* — more at HOUND] (1661) 1 : RABBLE, RIFFRAFF 2 : PROLETARIAN

ca-nal \kā-nāl\ n [ME, fr. L *canalis* pipe, channel, fr. *canna* reed — more at CANE] (15c) 1 : a tubular anatomical passage or channel

canal-a-duct \kā-nāl-dükt\ n (1844) 1 : an act or instance of canalizing 2 : a system of channels

canal-a-ize \kā-nāl-īz\ vb -ized, -iz-ing vt (1860) 1 a : to provide with a canal or channel b : to make into or similar to a canal 2 : to provide with an outlet; esp : to direct into preferred channels ~ vi 1 : to flow in or into a channel 2 : to establish new channels

can-a-pe \kā-nā-pē\ n [F, lit. sofa, fr. ML *canapeum*, *canapeum* mosquito net — more at CANOPY] (1890) : an appetizer consisting of a piece of bread or toast or a cracker topped with a savory spread [as caviar or cheese] — compare HORS D'OEUVRE

can-a-nard \kā-nārd\ also \nār\ n [F, lit. duck, fr. MF *vendre des canards* moitié to cheat, lit. to half-sell ducks] (ca. 1864) 1 : a false or unfounded report or story; esp : a fabricated report 2 : an airplane with horizontal stabilizing and control surfaces in front of supporting surfaces

ca-nary \kā-nārē\ n, pl *ca-naries* [MF *canarie*, fr. OSp *canario*, fr. *Islas Canarias* Canary Islands] (1584) 1 : a Canary island usu. sweet wine similar to Madeira 2 : a lively 16th century court dance 3 : a small finch (*Serinus canarius*) of the Canary Islands that is usu. greenish to yellow and is kept as a cage bird and singer 4: slang : INFORMER

canary seed n (1597) : seed of a Canary island grass (*Phalaris canariensis*) used as food for cage birds

canary yellow n (1865) : a light to a moderate or vivid yellow

ca-na-na-ta \kā-nā-nā-tā\ n [Sp, lit. basket; fr. the large number of cards in a meld] (1948) 1 : a form of rummy using two full decks in which players or partnerships try to meld groups of three or more cards of the same rank and score bonuses for 7-card melds 2 : a meld of seven cards of the same rank in canasta

can-can \kā-nān\ n [F] (1848) : a woman's dance of French origin characterized by high kicking usu. while holding up the front of a full ruffled skirt

can-cell \kā-nāl\ vb -cel-ed or -cel-led; -cel-ing or -cel-ling \kā-nāl\ [L *cancelare*] [ME *cancelle*, fr. MF *cancelle*, fr. LL *cancelare*, fr. L *cancel* to make like a lattice, fr. *cancelli* (pl.), dim. of *cancer* lattice, prob. alter. of *cancer* prison] vt (14c) 1 a : to destroy the force, effectiveness, or validity of : ANNULL *~ a magazine subscription* (a ~ed check) b : to bring to nothingness : DESTROY 2 : to match in force or effect : OFF-SET — often used with out *this* irritability ~ed out his natural kindness Osbert Sitwell d : to call off usu. without expectation of conducting or performing at a later time (*~ a football game*) 2 a : to mark or strike out for deletion b : OMIT, DELETE 3 a : to remove (a common divisor) from numerator and denominator b : to remove (equivalents) on opposite sides of an equation or account 4 : to deface (a postage or revenue stamp) esp. with a set of parallel lines so as to invalidate for reuse ~ vi : to neutralize each other's strength or effect : COUNTERBALANCE — can-cell-able or can-cell-a-ble \kā-nāl\ adj

can-cell-er or can-cell-er \kā-nāl\ n

can-cell-e-ment \kā-nāl-mēnt\ n (1806) 1 : CANCELLATION 2 a : a deleted part or passage (1) : a leaf containing matter to be deleted (2) : a new leaf or slip substituted for matter already printed

can-cell-a-tion also can-cell-ation \kā-nāl-ā-shān\ (1535) 1 : the act or an instance of canceling 2 : a released accommodation

can-cell-ous \kā-nāl-sōs, \kā-nāl-sō-ləs\ adj [NL *cancellic* intersecting osseous plates and bars in cancellous bone, fr. L, lattice] of bone (1836) : having a porous structure

can-crier \kā-nārēr\ n [ME, fr. L (gen. *Cancer*), lit., crab; akin to Gk *karikos* crab, cancer] 1 cap a : a northern zodiacal constellation between Gemini and Leo b : (1) the 4th sign of the zodiac in astrology — see ZODIAC table (2) : one born under this sign 2 [L, crab, cancer] a : a malignant tumor of potentially unlimited growth that expands locally by invasion and systemically by metastasis b : an abnormal stalk marked by such tumors 3 : something evil or malignant that spreads destructively (*~ of hidden resentment* — *British Digest*) 4 a : an enlarged tumorlike growth b : a disease marked by such growths — can-cri-ous \kā-nārēs\ adj — can-cri-ously adj

can-cha \kā-nāchā\ n [Sp, yard, court, fr. Quechua, yard] (ca. 1927) : a jai alai court

can-de-la \kā-nādā, -del-ə\ n [L, candle] (1949) : an international unit of luminous intensity in a given direction of a source that emits monochromatic radiation of frequency 540×10^{12} hertz and has an intensity in that direction of $1/683$ watt per unit solid angle — called also candle

can-de-la-bra \kā-nādā-rā, -lāb\ n (1815) : a branched candlestick or lamp with several lights

usage Orig. the plural of *candelabrum*, *candelabra* has been used as a singular with the plural *candelabras* since the early 19th century. Unlike *candelabra*, *candelabrum* is well established as a singular and its use goes almost entirely unnoticed.

can-de-la-brum \kā-nādā-rūm\ n, pl -bra \rā\ also -brums [L, fr. *candelabrum*] (1811) : CANDELABRA

can-dent \kā-nādənt\ adj [L *candens*, *candens*, prp. of *candere*] (1577) : heated to whiteness : GLOWING

can-des-cence \kā-nādēs-ən(t)s\ n (ca. 1864) : a candescent state : glowing whiteness

can-des-cen-t \kā-nādēnt\ adj [L *candescēns*, *candescēns*, prp. of *candescere*] incho. of *candēre*] (1824) : glowing or dazzling esp. from great heat

can-did \kā-nādēd\ adj [F & L; F *candid*, fr. L *candidus* bright, white, fr. *candēre* to shine, glow; akin to LGk *kandaros* ember] (1630) 1 : WHITE (~ flames) 2 : free from bias, prejudice, or malice : FAIR (a ~ observer) 3 a : marked by hon-

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g vi (1917): to conceal or disguise by camouflage — **camouflagable**

colors or patterns typical of camouflage

prob. fr. ONF or OProv. fr. L *cam* a place usu. away from urban areas or cabins are erected for shelter or for miners, prisoners, or vacationers (mines, cabins, or huts (fishing ~s along sprung up in lumbering or mining country for recreation or instruction every July) (computer ~) (football) ped. b (1) a group of persons esp. or defending a theory, doctrine, political position 3 : military service or

up or occupy a camp 2 : to live tem- often used with *out* 3 : to take up ke up one's position : settle down ~ **COMMODATE**

909) 1 : exaggerated effeminate homosexuals 2 : a homosexual displayingously artificial, affected, inappropriate, and amusing 4 : something satirical — **campy** 'kam-pē' adj

o, being, or displaying camp (~ sixties — *Elton John*) 1 : camp : exhibit the qualities of camp, with a quick eye to notice every man on

campagne, prob. fr. It *campagna* level country, fr. L, the level country 1 : a connected series of military operations 2 : a connected series of open particular result (election ~) 3 : engage in, or conduct a campaign

käm-, -(l)a, esp of US structures ~ 'nē-lē' [It, fr. *campana* bell, fr. L tower] ~ **list** (1857) : one that practices

ampanologia, fr. LL *campana* + NL art of bell ringing ~ 'nē-lē' [It, fr. *campana* bell-shaped part, dim. like a bell (~ flower)]

so 'kam-bō-' n [Alexander Campbell] : to be offensive a. 1893) : skill and practice in the art

1 : one that camps 2 : a portable trailer or automotive vehicle for use

3 : a native of a Latin-American Indian farmer or farm laborer

adj [L *campestr*, *campes*, fr. *campus*] fields or open country : **RURAL**

5 : a fire built outdoors (as at a camp)

ire Girls, Inc., former name of Camp Fire a member of a national organization

8 : a civilian who follows a military unit, to personnel; **prostitute** 2 : a disreputable body of members or adherents, party or movement solely for personal gain

1 : the area or place (as a field)

camping, or for a camp meeting

1847) : any of several terpenes related to

crystalline terpene C_9H_{16} used in insect-

1 : *caumfre*, fr. AF, fr. ML *camphora*

(14c) : a tough gummy volatile aromatic

obtained esp. from the wood and bark

as a liniment and mild topical analgesic

, and as an insect repellent; also ~

as some terpene alcohols and ketones

fo-'rā-shas' adj

at vt -at-ed; -at-ing (1641) : to impress

large Asian evergreen tree (*Cinnamomum*)

grown in warm regions

prob. fr. obs. *campion* (champion) (1570)

prob. L *lychnis* and *Silene* of the pink family

a series of evangelical meetings usu. by persons who often camp nearby

n, pl **campos** [AmerSp, fr. Sp. *campo*] (1570) : a plain in America with scattered trees

[camp + jamboree] (1927) : a gathering

on a given geographic area

an oman's shirt having a notched collar

910) : a place suitable for or used as the

in attrib [L, plain] (1774) 1 : the ground

college, or school 2 : a university

an academic, social, or spiritual entity

grounds that resemble a campus (hospital ~) (landscaped corporate cam-pylo-bac-ter 'kam-pi-lō-'bak-tar, kam-pi-lō-' n [NL, fr. Gk *kampylos* bent + NL *bacterium*; akin to Gk *kampē* bend — more at **GAMBIT**] (1664) : any of a genus (*Campylobacter*) of spirally curved motile gram-negative rod-shaped bacteria of which some are pathogenic in domestic animals and humans

cam-py-lo-ro-pous 'kam-pi-lō-'tra-pas' adj [Gk *kampylos* + ISV -tropous -tropous] (1835) : having the ovule curved

cam-shaft 'kam-shaft' n (ca. 1877) : a shaft to which a cam is fastened or on which a cam forms an integral part

cam wheel n (ca. 1853) : a wheel set or shaped to act as a cam

can 'kan, kan' vb, past could 'kud, 'kud; pres sing & pl can [ME (1st & 3d sing. pres. indic.), fr. OE; akin to OHG *kan* (1st & 3d sing. pres. indic.) know, am able, OE *cnawan* to know — more at **KNOW**] vt (bef. 12c) 1 **obs** : KNOW, UNDERSTAND 2 **archaic** : to be able to do, make, or accomplish ~ vi, **archaic** : to have knowledge or skill ~ verbal auxiliary 1 a : know how to (she ~ read) b : be physically or mentally able to (he ~ lift 200 pounds) c : used to indicate possibility (do you think he ~ still be alive) (those things ~ happen); sometimes used interchangeably with **may** d : be permitted by conscience or feeling to (~ hardly blame her) e : be made possible or probable by circumstances (he ~ hardly have meant that) f : be inherently able or designed to (everything that money ~ buy) g : be logically or axiomatically able to (2 + 2 ~ also be written 3 + 1) h : be enabled by law, agreement, or custom to 2 : have permission to — used interchangeably with **may** (you ~ go now if you like)

usage **can** and **may** are most frequently interchangeable in senses denoting possibility; because the possibility of one's doing something may depend on another's acquiescence, they have also become increasingly interchangeable in the sense denoting permission. The use of **can** to ask or grant permission has been common since the 19th century and is well established, although some commentators feel **may** is more appropriate in formal contexts. **May** is relatively rare in negative constructions (**mayn't** is not common); **cannot** and **can't** are therefore usual in such contexts

can 'kan' n [ME *canne*, fr. OE; akin to OHG *channe*] (bef. 12c) 1 : a usu. cylindrical receptacle: a : a vessel for holding liquids; **specif**: a drinking vessel b : a usu. metal typically cylindrical receptacle usu. with an open top, often with a removable cover, and sometimes with a spout or side handles (as for holding milk or trash) c : a container (as of tinplate) in which products (as perishable foods) are hermetically sealed for preservation until use d : a jar for packing or preserving fruit or vegetables 2 : JAIL 3 a : TOILET b : BATHROOM 4 : BUTTEROCKS 5 : DESTROYER 2 **slang** : an ounce of marijuana — **canful** 'kan-fūl' n — in the can of a film or videotape : completed and ready for release

can 'kan' vt **canned**; **can-ning** (1861) 1 a : to put in a can; **preserve** by sealing in airtight cans or jars b : to hit (a golf shot) into the cup c : to hit (a shot) in basketball 2 : to discharge from employment 3 **slang** : to put a stop or end to (~ that racket) — Nathaniel Burd 'kan-er' n

Ca-naan-ite 'kā-nā-nīt' n [Gk *Kananites*, fr. *Kanaan* *Canaan*, fr. Heb *Kena'an*] (1535) : member of a Semitic people inhabiting ancient Palestine and Phoenicia from about 3000 B.C. — **Canaanite** adj

Can-āda 'balsam 'kā-nā-dā-' n [Canada, country in No. America]

(1811) : a viscous yellowish to greenish oleoresin exudate of the balsam fir (*Abies balsamea*) that solidifies to a transparent mass and is used as a transparent cement esp. in microscopy

Canada goose n (1731) : the common wild goose (*Branta canadensis*) of No. America that is chiefly gray and brownish with black head and neck and a white patch running from the sides of the head under the throat

Canada thistle n (1799) : a European thistle (*Cirsium arvense*) with pinkish purple or white flowers naturalized as a weed in No. America

Can-ādi-an 'kā-nā-de-ān' n (1568) : a native or inhabitant of Canada

Canadian adj

Canadian bacon n (ca. 1934) : bacon cut from the loin that has little

fat and is cut into round or oblong slices

Canadian football n (1944) : a game resembling American football that is played on a turfed field between two teams of 12 players each

Canadian French n (1816) : the language of the French Canadians

Canadian lynx or **Canada lynx** n (1840) : **lynx** c

can-a-nail 'kā-nā-nīl' n [F, fr. *canaglia*, fr. *cané* dog, fr. L *canis* — more at **HOUND**] (1661) 1 : RABBLE, RIFFRAFF 2 : PROLETARIAN

can-a-nal 'kā-nā-nāl' n [ME, fr. L *canalis* pipe, channel, fr. *canna* reed — more at **CANE**] (15c) 1 : a tubular anatomical passage or channel (DUCT) 2 : CHANNEL, WATERCOURSE 3 : an artificial waterway for navigation or for draining or irrigating land 4 : any of various faint narrow lines on the planet Mars seen through telescopes and once thought by some to be canals built by Martians

canal 'kā-nāl' n [N, **canalized**; -naled; -naled or -naled] (1819) : to construct a canal through or across

can-a-nio-nus 'kā-nā-nī-nō-nūs' n, pl -li -li -li, -li [L, dim. of *canalis*] (1854) : a minute canal in a bodily structure — **can-a-nic-u-lar** 'kā-nē-lār'

canalization 'kā-nā-lā-zā-shōn' n (1844) 1 : an act or instance of canalizing 2 : a system of channels

canalize 'kā-nā-līz' vb -lized; -liz-ing vt (1860) 1 a : to provide with a canal or channel b : to make into or similar to a canal 2 : to provide with an outlet; esp : to direct into preferred channels ~ w 1 into flow in or into a channel 2 : to establish new channels

can-a-pé 'kā-nā-pē', -pē 'pā' n [F, lit. sofa, fr. ML *canopeum*, *canopeum* mosquito net] — more at **CANOPY** (1890) : an appetizer consisting of a piece of bread or toast or a cracker topped with a savory spread (as caviar or cheese) — compare **HORS DOEUVRE**

canard 'kā-nārd' also 'nār' n [F, lit. duck; in sense 1, fr. MF *vendre des canards* 'to mitigate to cheat, lit. to sell duck' (ca. 1859) 1 : a false or unfounded report or story; esp : a fabricated report 2 : an airplane with horizontal stabilizing and control surfaces in front of supporting surfaces; also : a small airfoil in front of the wing of an aircraft that increases the aircraft's stability

canary 'kā-nārē' n, pl **canaries** [MF *canarie*, fr. OSp *canario*, fr. *Canarias* Canary Islands] (1584) 1 : a Canary Islands usu. sweet

wine similar to Madeira 2 : a lively 16th century court dance 3 : a small finch (*Serinus canarius*) of the Canary Islands that is usu. greenish to yellow and is kept as a cage bird and singer 4 **slang** : INFORMER 2

canary seed n (1597) : seed of a Canary Islands grass (*Phalaris canariensis*) used as food for cage birds

canary yellow n (ca. 1865) : a light to a moderate or vivid yellow

ca-na-sa-ta 'kā-nā-sā-tā' n [Sp, lit. basket] (1948) 1 : a form of rummy using two full decks in which players or partnerships try to meld groups of three or more cards of the same rank and score bonuses for 7-card melds 2 : a meld of seven cards of the same rank in canasta

can-can 'kā-nān' n [F] (1848) 1 : a woman's dance of French origin characterized by high kicking usu. while holding up the front of a ruffled skirt

can-cell 'kā-nāl-sāl' vb -cealed or -celled; -cel-ing or -cel-ling

— **cancel** 'kā-nāl-sīn' [NL *cancellare*, fr. LL *cancellare*, fr. L, to make like a lattice, fr. *cancella* (pl), dim. of *cancere* lattice, prob. alter. of *carcer* prison] vi (14c) 1 a : to destroy the force, effectiveness, or validity of: ANNUL (~ a magazine subscription) (a ~ed check) b : to bring to nothingness: DESTROY c : to match in force or effect: OFFSET — often used with **out** (his irritability ~ed out his natural kindness — Osbert Sitwell) d : to call off usu. without expectation of conducting or performing at a later time (~ a football game) 2 a : to mark or strike out for deletion b : OMIT, DELETE 3 a : to remove (a common divisor) from numerator and denominator b : to remove (equivalents) on opposite sides of an equation or account 4 : to deface (a postage or revenue stamp) esp. with a set of ink lines so as to invalidate for reuse ~ vi : to neutralize each other's strength or effect: COUNTERBALANCE — **can-cellable** or **can-cell-a-ble** 'kā-nāl-sā-blē' adj — **can-cell-er** or **can-cell-er** 'kā-nāl-sā-rē' n

cancel n (1806) 1 : CANCELLATION 2 a : a deleted part or passage

b (1) : a leaf containing matter to be deleted (2) : a new leaf or slip substituted for matter already printed

can-cell-a-tion, also **can-cell-ation** 'kā-nāl-sā-tā-shōn' n (1535) 1

2 : the act or an instance of canceling 2 : a released accommodation 3 : a mark made to cancel something (as a postage stamp)

can-cellous 'kā-nāl-sōs', 'kā-nāl-sā-sōs' adj [NL *cellulī* intersecting osseous plates and bars in cancellous bone, fr. L, lattice] (ca. 1839) of bone : having a porous structure

can-er 'kā-nāt-sōr' n [ME, fr. L (gen. *Cancri*), lit., crab; akin to Gk *karkinos* crab, cancer] 1 **cap** a : a northern zodiacal constellation between Gemini and Leo b (1) : the 4th sign of the zodiac in astrology — see **ZODIAC** table (2) : one born under the sign of Cancer 2 [L, crab, cancer] a : a malignant tumor of potentially unlimited growth that expands locally by invasion and systemically by metastasis b : an abnormal state marked by such tumors 3 : something evil or malignant that spreads destructively (~ of hidden resentment — *Irish Digest*) 4 a : an enlarged tumorlike growth (as of a crown gall) b : a disease marked by such growths — **can-erous** 'kā-nāt-sō-rōs', 'kā-nāt-sō-rōs' adj — **can-er-ous** adj

Can-er-ian 'kā-nārē-ān', 'ser-ē-ān', 'sir-ē-ān' (1911) : CANCER 1b(2)

can-de-la 'kā-nāl-de-ā', 'de-ā', 'dā', 'kā-nādā-' n [L, candle] (1949) : the base unit of luminous intensity in the International System of Units that is equal to the luminous intensity in a given direction of source which emits monochromatic radiation of frequency 540×10^{12} hertz and has a radiant intensity in that direction of $\frac{1}{64}$ watt per unit solid angle — called also **candle**, abbr. cd

can-de-la-brum 'kā-nāl-brūm' n, pl -brūm [L] (1811) : CANDELABRA

can-dent 'kā-nādānt' adj [L *can-dēnt*, *can-dēns*, pp. of *candēre*] (1577) : glowing from or as if from great heat

can-de-scence 'kā-nādē-sēn(t)s' n (ca. 1864) : a candescent state: glowing whiteness

can-de-sent 'kā-nāsēnt' adj [L *can-dēsēnt*, *can-dēns*, pp. of *candēscere*] (1824) : glowing or dazzling from or as if from great heat

can-did 'kā-nādēd' adj [F & L; F *candid*, fr. L *candidus* bright, white, fr. *candēre* to shine, glow; akin to W *can* white, Skt *candati* it shines] (1630) 1 : WHITE (~ flames) 2 : free from bias, prejudice, or malice: FAIR (a ~ observer) 3 a : marked by honest sincere expression b : indicating or suggesting sincere honesty and absence of deception c : disposed to criticize severely

BLUNT 4 : relating to photography of subjects acting naturally or spontaneously without being posed **syn** see **FRANK** — **can-did-ly** adv — **can-did-ness** n

can-di-da 'kā-nādā-dā-' n [NL, genus name, fr. L, fem. of *candidus*] (1939) : any of a genus (*Candida*) of parasitic imperfect fungi that resemble yeasts and occur esp. in the mouth, vagina, and intestinal tract and that are usu. benign but can become pathogenic; esp. : one (*C. albicans*) causing thrush

can-di-da-cy 'kā-nādā-dā-sē' 'kā-nā-nāl-sē' n, pl -cies (1864) : the state of being a candidate

can-di-date 'kā-nādā-dā-dāt', 'kā-nā-nā-dāt' n [L *candidatus*, fr. *candidus* clothed in white, fr. *candidus* white; fr. the white toga worn by candidates for office in ancient Rome] (1600) 1 a : one that aspires to or is nominated or qualified for an office, membership, or award b : one likely or suited to undergo or be chosen for something specified (a ~ for surgery) 2 : a student in the process of meeting final requirements for a degree

can-di-da-ture 'kā-nādā-dā-tūr', 'kā-nā-nā-tūr' n (1851) chiefly Brit : CANDIDACY

— **about** \ kitten, F table \ or further \ ash \ ace \ mop, mar \ out \ ch\ chin \ bet \ easy \ go \ hit \ ice \ job \ sing \ go \ law \ boy \ thin \ th\ the \ loot \ foot \ yet \ yet \ zh \ vision \ kā, k, ce, te, \ see Guide to Pronunciation

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campanula, dim. of LLat. *campana*, bell + *campanula* (kām'pōr) *n.* 1. One that camps. 2. a. A *camper*, vehicle resembling an automobile-and-trailer, designed to serve as a dwelling and used for long motor trips. b. A portable shelter resembling part of a trailer, made to be mounted on a *camper* or form such a vehicle.

cam-pes-tral (kām-pēs'tral) *adj.* Of, pertaining to, or uncultivated land or open fields. [Lat. *campes*, *campus*, field.]

cam-pes-tran (kām-pēs'trē-an) *adj.* Pertaining to Great Plains. [Lat. *campestria*, a plain < *campes*, field.]

cam-pire (kām'pīr) *n.* 1. An outdoor fire in a campfire or cooking. 2. A meeting held around a campfire.

cam-pire girl *n.* A member of the Camp Fire Girls, organization for girls from 7 through 18 that strives to teach values and character and develop practical skills to place to sell goods or services. 2. One who does not belong to a main body or group.

cam-ping-ground (kām'pīng'grōnd) *n.* An area used for a camp or holding a camp meeting.

cam-phor (kām'fōr) *n.* 1. A colorless crystalline compound, used in the manufacture of synthetic camphor. [CAMPH(OR) + -ENE.]

cam-phor tree (kām'fōr' trē) *n.* A volatile crystalline compound, obtained from camphor tree wood or synthetic, used as an insect repellent, in the manufacture of lacquers, and explosives, and medicinally as a salve, expectorant, and diaphoretic. [ME *camphore* < Med. Lat. *camphora* < Ar. *kāfūra*]

cam-phor-ate (kām'fōr-āt') *tr.v.* -ated, -ating, -ated. *adj.* Having grooves or channels. [Lat. *canaliculatus* < *canaliculus*, dim. of *canalis*, channel.]

cam-phor-ate (kām'fōr-āt') *tr.v.* -ated, -ating, -ated. *adj.* Or impregnate with camphor.

cam-phor ice *n.* A skin ointment consisting of camphor, wax, spermaceti, and castor oil.

cam-phor oil *n.* The oil obtained from the wood of a tree.

cam-phor tree *n.* An evergreen tree, *Cinnamomum camphora*, native to eastern Asia, having aromatic wood and source of camphor.

cam-pion (kām'pē-on) *n.* Any of various plants of the *Campanula* or related genera, having red, pink, or white flowers.

cam-ping *n.* An evangelistic gathering held indoors and often lasting a number of days.

cam-po-ry (kām'pō-rē) *n.* pl. -ries. A large, grassy area, with occasional bushes and small trees.

cam-po-ree (kām'pō-rē) *n.* An assembly or gathering of Scouts on a local or district level. [CAMP + *area*]

cam-rob-ber (kām'rōb'ər) *n.* The Canada jay.

cam-site (kām'sīt) *n.* An area suitable or used for camping.

cam-stool (kām'stōl) *n.* A light folding stool.

cam-pus (kām'pās) *n.* pl. -pus-es. 1. The grounds of a school, college, or university. 2. A field in ancient used for various events, such as military exercises.

cam-py-lo-tro-pous (kām'pē-lō-tro-pōs) *adj.* Having the ovule partially inverted and curved. [Gk. *campe* + *pylos* + *tropos*, curved.]

cam-shaft (kām'shāft) *n.* An engine shaft fitted with cams.

cam (kān; kān when unstressed) *aux.v.* Past tense and past participle. 1. Used to indicate: a. Physical or mental need. 2. Possession of a specified power or privilege: *The President can veto congressional bills*. Possession of a specified capacity or skill: *He can play chess as well as play it*. 2. Used to indicate probability: *I wonder if she can still be alive*. 3. Request or grant permission: *Can I be excused*? May I? [ME < OE, first and third person pr. indicative can, to know how.]

Usage: Generations of grammarians and scholars have insisted that *can* should be used only to express a capacity to do something, while *may* must be used to express permission. Technically, correct usage requires: *The boss said that anyone who wants an early vacation can go*. *May I have an early vacation?* In speech, however, *can* is used to express permission by most speakers, and the "permission" use of *can* is more frequent in British English. The negative *can't* is frequently used in coaxing and wheedling, like *Can't I have the car tonight?* Many members of the age Panel feel also that the alternative contraction *can't* is awkward and unnatural.

can (kān) *n.* 1. A usually cylindrical container, in which foods or beverages are preserved, by means of such a container. 2. Slang. A jail or prison. 3. A toilet or rest room. 5. Slang. The buttocks.

can-ning, cans. 1. To seal in a can or jar for

can-ning. 2. Slang. To make a recording of: *can the applause*. 3. Slang. a. To dismiss from employment or a water container < OE.] —*can-ner* n.

can-ba-lam (kān'bā-lām) *n.* 1. The balsam fir. 2. A yellowish, transparent resin obtained from the balsam fir and used as a mounting cement for microscopic specimens.

can-geese (kān'jēs) *n.* A common wild goose, *Branta canadensis*, of North America, having grayish plumage, a black neck and, and a white face patch.

can-jay (kān'jā) *n.* A bird, *Perisoreus canadensis*, of North America, having gray plumage and a black crest.

can-thistle (kān'θi-stl) *n.* A weedy plant, *Cirsium arvense*; native to Europe, having prickly leaves and clusters of purplish flowers.

can-ham bacon (kān'hām'bān) *n.* Cured rolled bacon from the loin of a pig.

can-French (kān'fānch) *n.* The language of the French-Canadian.

can-gnō (kān'gnō) *n.* The masses of common people; riffraff. [Fr. < Ital. *canaglia* < cane, dog < Lat. *canis*, dog.]

canal (kān'äl) *n.* 1. A manmade waterway or artificially

diverted river used for irrigation, shipping, or travel. 2. A tube or duct. 3. Astron. One of the faint, hazy

lines resembling straight lines on the surface of Mars, called, -nail-ing, -nails or -naled, -naing, -nais.

canal (kān'äl) *n.* An artificial waterway through. 2. To provide with an artificial waterway through. 2. To provide with a canal or canals. [Partly Fr. *channel*, and partly < ME, *canal* < Lat. *canalis*, tube, channel.]

canal-plate (kān'äl'plāt') *n.* -lät' *adj.* Having grooves or channels. [Lat. *canaliculatus* < *canaliculus*, dim. of *canalis*, channel.]

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can-cellous (kān'sēl'ōs, kān'sō-lōs) *adj.* Anat. Having a coarse netlike or spongy structure. Used of bone.

can-er (kān'sēr) *n.* 1. a. Any of various malignant neoplasms that manifest invasiveness and a tendency to metastasize to new sites. b. The pathological condition characterized by such growths.

can-er (kān'sēr) *n.* 2. Cancer. A constellation in the Northern Hemisphere near Leo and Gemini.

can-er (kān'sēr) *n.* 3. Cancer. a. The fourth sign of the zodiac. b. One born under the astrological sign of Cancer. [Lat. *cancer*, cancer.] —*can-erous* (-sōr'əs) *adj.*

can-er (kān'sēr) *n.* 4. Resembling a cancer.

can-er (kān'sēr) *n.* 5. A skin cancer.

can-del-a-brum (kān'dēl'brōm, -brōm, -brō'brōm) *n., pl. -bra (brō) or -brums.* A large decorative candlestick having several arms or branches. [Lat. *candelabrum* < *candela*, candle.]

can-del-a-ble (kān'dēl'ə-bəl) *adj.* Having a white-hot glow; incandescent.

can-del-a-ble (kān'dēl'ə-bəl) *n.* The state of being white hot; incandescence. [Lat. *candescere* < *candere*, to shine.] —*can-del-a-ble* (-bə'lə-bəl) *adv.*

can-del-a-ble (kān'dēl'ə-bəl) *n.* Any of the pathogenic yeastlike imperfect fungi of the genus *Candida*. [NLat. *Candida*, genus name < Lat. *candidus*, white.]

can-del-a-date (kān'dēl'dāt) *n.* 1. A person who seeks or is nominated for an office, prize or honor. 2. A person who seems likely to gain a certain position or come to a certain fate. [Lat. *candidatus*, clothed in white (from the white togas worn by Romans seeking office) < *candidus*, white. —see CANDID.] —*can-del-a-dy* (-dā-sē) *n.* *can-del-a-ture* (-dō-chōr', -char) *n.*

can-del-a-dy (kān'dēl'dā-tē) *n.* Free from prejudice; impartial.

can-del-a-dy (kān'dēl'dā-tē) *n.* Without pretense or reserve; straightforward: *candid* opinion.

can-del-a-dy (kān'dēl'dā-tē) *n.* Not posed or rehearsed: *a candid picture*.

can-del-a-dy (kān'dēl'dā-tē) *n.* An unposed informal photograph. [Fr. *candid* < Lat. *candidus* < *candere*, to shine.] —*can-del-a-dy* (-dā-sē) *adv.* —*can-del-a-ness* *n.*

can-del-a-dy (kān'dēl'dā-tē) *n.* Any of the pathogenic yeastlike imperfect fungi of the genus *Candida*. [NLat. *Candida*, genus name < Lat. *candidus*, white.]

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MEONSKE, TONIA L	
ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
JUN 02 2005

EXHIBIT A

JUN 2 8 2005

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09/654,527

Applicant(s)

MIYAKE ET AL.

Examiner

Tonia L. Meonske

Art Unit

2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 17 March 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: Claims 9, 10, and 14 have been provided with the improper status identifier of (cancelled) where (cancelled) should have been used.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ropa/preognitice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

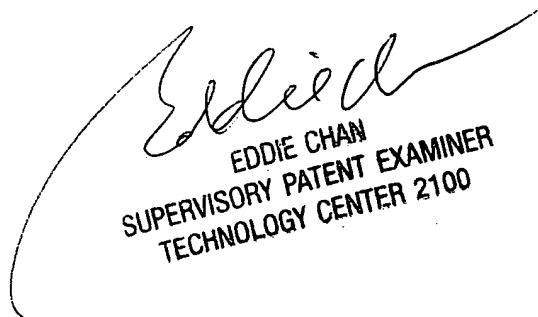
1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.



Eddie Chan
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100